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Attorneys for Defendant
STONEBRIDGE LIFE INSURANCE COMPANY

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

JESSICA LEE, individually and on behalf of a
class of similarly situated individuals,

Plaintiff,

v.

STONEBRIDGE LIFE INSURANCE
COMPANY, a Vermont corporation, and
TRIFECTA MARKETING GROUP LLC, a
Florida limited liability company,

Defendants.

Case No. CV 11-0043-RS

~~[PROPOSED]~~ STIPULATED
ORDER REGARDING THE
DEPOSITION OF CHANDLER
GIVENS

Judge: Hon. Richard Seeborg

Action Filed: Jan. 4, 2011

1 Defendant Stonebridge Life Insurance Company (“Stonebridge”), Trifecta Marketing
2 Group LLC (“Trifecta” and collectively with Stonebridge, “Defendants”) and Plaintiff Jessica
3 Lee (collectively with Defendants, the “parties”), by and through their respective counsel of
4 record, hereby enter into the following stipulation:

5 WHEREAS on October 18, 2012, Plaintiff filed the October 18, 2012 Declaration of
6 Chandler R. Givens in Support of Plaintiff’s Reply in Support of Motion for Class Certification
7 (“Givens Declaration”);

8 WHEREAS the Givens Declaration contains certain factual assertions concerning an
9 alleged text message he received from Plaintiff;

10 WHEREAS Stonebridge served a subpoena on Mr. Givens on April 17, 2013, calling for
11 him to appear for deposition on May 8, 2013;

12 WHEREAS Stonebridge intends to depose Mr. Givens concerning, among other things,
13 the contents of the Givens Declaration and any testimony he might offer concerning attempts to
14 call the 877-711-5429 phone number shown in Exhibit 1 to the Givens Declaration (the “877
15 Number”) and the results of any such calls;

16 WHEREAS Mr. Givens is an attorney at the law firm of Edelson LLC (“Edelson”),
17 Plaintiff’s counsel of record in this action;

18 WHEREAS Mr. Givens served objections to the subpoena served on him in this case;

19 WHEREAS the parties agree that it would be more efficient to stipulate to certain
20 evidentiary limitations rather than incur the time and expense of deposing Mr. Givens.

21 THEREFORE, the parties agree and stipulate as follows:

22 1. Stonebridge agrees to withdraw the April 17, 2013 subpoena served on Mr. Givens
23 in this action;

24 2. Defendants will not re-notice the deposition of Mr. Givens nor notice the
25 deposition of any other current or former Edelson attorneys, employees, or representatives;

26 3. Plaintiff agrees that she will not offer any evidence in this action concerning any
27 phone calls made to the 877 Number by any current or former Edelson attorneys, employees, or
28 representatives, including but not limited to the contents of any conversations with persons who

1 may have answered such calls;

2 4. Plaintiff further agrees that no Edelson attorneys, employees, or representatives
3 will offer any other oral or written testimony in this action, except for the Givens Declaration and
4 attorney declarations concerning matters that have occurred after January 4, 2011 (*e.g.*,
5 authentication of documents). Except as set forth in paragraph 5 below, no former or current
6 Edelson attorney, employee, or representative will testify at any trial in this matter.

7 5. If a Defendant intends to present evidence at trial that refutes the contents of the
8 Givens Declaration, it will promptly notify Plaintiff of such intent. If a Defendant provides such
9 notice, Plaintiff may call Mr. Givens as a trial witness, but only if Plaintiff makes Mr. Givens
10 available for deposition within fourteen days of Defendant's notice of intent to present the
11 refuting evidence at trial. If Mr. Givens's deposition cannot be completed before fact discovery
12 has closed, Plaintiff agrees to join in a request to reopen fact discovery for the limited purpose of
13 deposing Mr. Givens regarding the matters expressed in the Givens Declaration. If called as a
14 witness at trial pursuant to the provisions of this paragraph, Mr. Givens's testimony will be
15 limited to the matters expressed in the Givens Declaration.

16 IT IS SO STIPULATED
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1 Dated: May 13, 2013

MORRISON & FOERSTER LLP

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3 By: /s/ Tiffany Cheung
TIFFANY CHEUNG

4 Attorneys for Defendant
5 STONEBRIDGE LIFE INSURANCE
COMPANY

6 Dated: May 13, 2013

LAW OFFICES OF ALEXANDER E.
7 SKLAVOS, PC

8
9 By: /s/ Alex Sklavos
ALEX SKLAVOS

10 Attorneys for Defendant
11 TRIFECTA MARKETING GROUP
LLC

12 Dated: May 13, 2013

EDELSON LLC

13
14 By: /s/ John Ochoa
JOHN OCHOA

15 Attorneys for Plaintiff
16 JESSICA LEE and the class
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ATTESTATION OF FILER

I, Tiffany Cheung, hereby attest that concurrence in the filing of this document has been obtained from each of the other signatories. *See* L.R. 5-1(i)(3).

Dated: May 13, 2013

By: /s/ Tiffany Cheung
TIFFANY CHEUNG
MORRISON & FOERSTER LLP

PURSUANT TO STIPULATION, IT IS SO ORDERED

Dated: 5/14/13


Hon. Richard Seeborg
United States District Judge